IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:06-CV-399-MR-DCK

DORIS N. ANDERSON,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
DUKE ENERGY CORPORATION,)	
)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT on *pro se* Plaintiff's "Motion For Removal Of Medical Information From Public Access" (Document No. 49) filed December 8, 2008; and "Defendant's Response To Plaintiff's Motion To Seal Documents" (Document No. 50) filed December 12, 2008. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b) and immediate review is appropriate.

Upon closer examination, the *pro se* Plaintiff's motion is in actuality a motion to seal certain documents in the closed case. Specifically, in her motion, the Plaintiff asks that portions of two documents be "removed": Document No. 17, page 24 and Document No. 15, pages 1 and 2. Because Document No. 17 appears to contain the medical information the Plaintiff is concerned with, her motion will be <u>granted</u> as to Document No. 17. However, Document No. 15 is merely an appendix to the Defendant's Motion to Compel and does not, in and of itself, contain any medical information. Therefore, insofar as the *pro se* Plaintiff's motion seeks to seal Document No. 15, pages 1 and 2, that portion of the motion will be <u>denied</u>.

IT IS, THEREFORE, ORDERED that Plaintiff's "Motion For Removal Of Medical

Information From Public Access" (Document No. 49) is **GRANTED IN PART AND DENIED IN PART**. The Clerk shall seal Document No. 17, page 24; however, the Clerk shall not seal Document No. 15, pages 1 and 2.

IT IS FURTHER ORDERED that this ruling is without prejudice to the *pro se* Plaintiff's opportunity to make another motion regarding the sealing of medical information that points out with greater particularity the documents she seeks to seal.

Signed: December 22, 2008

David C. Keesler

United States Magistrate Judge